

TOWN OF LANESBOROUGH SELECTMEN'S MEETING  
Submitted by Diane Stevens, Town Secretary  
December 8, 2014

Present: Mr. John Goerlach, Chairman  
Mr. Robert Ericson  
Mr. Henry Sayers  
Mr. Paul Sieloff, Town Administrator

Warrants: Warrants Signed

The meeting was opened by John Goerlach at 6:00 p.m.

Green Community Designation Announcement - Jim Barry

Robert Ericson reported great news for the Town. The Green Communities Division accepted the Town into their program. Jim Barry, Regional Coordinator of the Green Communities Division of the Massachusetts Department of Energy Resources came before the Board to congratulate the Town of Lanesborough for being designated as a Green Community. Mr. Barry read a press release and reported that the Town of Lanesborough was awarded a grant in the amount of \$135,300.00 to be used towards making the Town more energy efficient. Mr. Barry stated that as a former resident of Lanesborough he was very happy and commended the Energy Committee for all of their hard work.[#1]

Dangerous Dog Hearing - Anthony Plantier

Animal Control Officer Michael McClay came before the Board to ask them to make a determination regarding a dog owned by Anthony Plantier of 30 Prospect Street. Officer McClay stated that the dog had bitten 3 people in the last year (Chief Bashara, Judy Rudd, and Keri Laporte, a veterinarian). Ms. Rudd was present and stated that she was attacked and had to receive a tetanus shot. Officer McClay stated that all 3 attacks were unprovoked and by State law the dog should be deemed dangerous. Mr. Plantier's son stated that steps have been taken to insure safety; that his father does not answer the door unless the dog is in a crate and he has purchased a muzzle and a 3 foot leash as required by State law and that they will take any measures deemed necessary in order to keep the dog. Officer McClay presented copies of the State law to the Board with guidelines that have to be followed. Mr. Ericson had some concerns about what would happen if the animal got out of the house. Mr. Ericson stated he had serious concerns and would like the dog euthanized. Officer McClay stated that the owner has 10 days to appeal any decision to the District Court. The Board decided that the dog be deemed a dangerous dog but that Mr. Plantier could keep the dog with the following conditions as required by State law:

1. That the dog be implanted with a microchip;
2. That signage be permanently attached to the house and in the back on the fence that reads "dangerous dog";
3. That a \$250,000 insurance policy be obtained naming the Town as an additional insured;
4. That the dog be muzzled and leashed with a tethering device having a minimum strength of 300 pounds and not exceeding 3 feet in length if out of the house and muzzled at all times while in the house if Mr. Plantier is alone; and
5. That a pen with a roof and locked gate be installed on the premises if the dog is outside.

Motion 14-202. Motion by John Goerlach to allow Mr. Plantier to keep his dog with above restrictions, seconded by Henry Sayers. Robert Ericson opposed. Motion carried 2-1.[#2]

Public Comment - Public Hearing: Tax Classification (Assessor Tolisano)  
Town Assessor Kelly Tolisano, Assistant Assessor Regina Dilego and Town Accountant Bruce Durwin came before the Board and presented documentation regarding for the Tax Rate Classification for Fiscal Year 2015. Motion 14-203. Motion made by Robert Ericson to approve the single Tax Rate of \$18.98 per thousand of valuation with an excess levy capacity calculated as \$26,209.88, seconded by Henry Sayers. Unanimously voted. Mr. Goerlach and Mr. Sayers voted out of the rule of necessity as they both have a business in town. [#3]

Permit(s), Contract(s), Use of Town Property and Appointment(s)  
**Bike & Hike the Berkshires MS Bike Ride.** The National Multiple Sclerosis Society filed an Application for Permit to Use Town Owned Property for their annual Bike and Hike the Berkshires bike ride which will take place on June 6, 2015. Motion 14-204. Motion made by Robert Ericson to approve the Use of Town Owned Property for the MS Bike and Hike the Berkshires Bike Ride, seconded by Henry Sayers. Unanimously voted. [#4]

**Recreation Committee - Shannon M. Carison.** Timothy Sorrell, Chair of the Recreation Committee has reported to the Town that Rakesh M. Vyas has resigned from the Committee and Shannon Carison has completed a Lanesborough Citizen Interest Form to fill the vacancy and is recommended by Mr. Sorrell. Motion 14-205. Motion made by Robert Ericson to approve the appointment of Shannon Carison to the Lanesborough Recreation Committee, seconded by Henry Sayers. Unanimously voted. [#5]

Approval of Tax Insert - Tree & Forest Committee  
Jim Neureuther from the Tree and Forest Committee came before the Board for approval of their Newsletter which will be included with the Town's next tax mailing. Motion 14-206. Motion made by Henry Sayers to approve the Tree and Forest Newsletter, seconded by Robert Ericson. Unanimously voted. [#6]

Sunday Entertainment License - Skyline Country Club  
Skyline Country Club filed an application to renew its Sunday Entertainment License with the Town. Motion 14-207. Motion made by Henry Sayers to renew the Sunday Entertainment License of the Skyline Country Club, seconded by Robert Ericson. Unanimously voted. [#7]

Inter-Municipal Agreement - Approval of Transfer of Water District Collector Services to Town Tax Collector. Mr. Sieloff stated that he has not yet received this agreement from Town Counsel and will put it on next agenda.

Environment Massachusetts Letter of Support  
Environment Massachusetts, a statewide environmental advocacy organization forwarded a letter to the Board asking for a letter in support of solar energy. Mr. Ericson thought it was a good idea for the Board to endorse this letter. Motion 14-208. Motion made by Robert Ericson to endorse the letter in support of solar energy, seconded by Henry Sayers. Unanimously voted. [#8]

#### Proposed Energy Committee Bylaws

Mr. Sieloff presented the Board with draft bylaws for the Lanesborough Energy Committee. Motion 14-209. Motion made by Robert Ericson to approve the Energy Committee Bylaws, seconded by Henry Sayers. Unanimously voted. [#9]

#### Energy Committee Report on proposed Energy Conservation Projects

Mr. Ericson presented the remaining members of the Board with a spreadsheet with proposed projects and projected savings for their review. [#10]

#### Approval of Selectmen's Fee Schedule

Mr. Sieloff presented the Board with a proposed License Fee schedule for their review and approval. Mr. Goerlach asked if the alcohol license fees could be raised. Mr. Sieloff stated he would check to see if the State has a maximum fee and will put it on the next agenda. Mr. Sayers would like the General business fee to be \$100 for any business that does not have other licensing fees. Mr. Ericson asked if the Sunday Entertainment fee was a fee for each event or if it was an annual fee. Mr. Sieloff stated he would check into it and get back at the next meeting. [#11]

#### Proposed Domestic Violence Leave Act Employee Policy

Mr. Sieloff presented the Board with a proposed Domestic Violence Leave Policy given to him by Town Counsel in accordance with State law. Motion 14-210. Motion made by Robert Ericson to adopt the Domestic Violence Leave Act Employee Policy without the highlighted text as presented, seconded by Henry Sayers. Unanimously voted. [#12]

#### Use of Town Property Policy and Fee Schedule - notify room users

Mr. Sieloff presented the Board with a proposed Facility Use Policy for their review and approval. Mr. Sayers asked about the liability issue as presented to Town Counsel. Mr. Sieloff stated that he would get back to the Board on this. Mr. Goerlach stated that he felt the fees were excessive. Mr. Sieloff stated that he would bring this back at the next meeting for approval. [#13]

#### Proposed Town Hall Closing at Noon for Staff Luncheon on 12/22/14

Mr. Sieloff asked the Board to approve closing the Town Hall at noon for its annual Staff Luncheon on December 22<sup>nd</sup>. The Board had no objection.

Other business which could not have been reasonably foreseen within 48 hours of the meeting. None.

#### Selectmen's Items

Mr. Sayers stated that the Tree Lighting Ceremony to kick off the 250<sup>th</sup> was a very nice event.

Mr. Goerlach reported that Jeff Dechaine who lives on Brodie Mountain Road has been having drainage issues on his property and adjacent properties. The Town has an easement. The neighbor below is complaining that the drain is running onto his property and would like DPW Director William Decelles to correct this. Mr. Sieloff stated that DPW Director Decelles has been looking into this and he will check into the status of this issue with him.

Mr. Goerlach asked Mr. Sieloff about trademarking the 250<sup>th</sup> logo. Mr. Sieloff, responding to Mr. Goerlach's question regarding freedom of information requests, stated that a response has to be given within 10 days as to how long it will take to respond but that Minutes are different and need to be provided within 10 days even if they are in draft form.

#### Town Administrator Report

Mr. Sieloff stated that the installation of the new gas tanks at the Police Station are almost complete, that the Water Department is very supportive of having their water bills processed here and that the Town is very close with the water line project and will probably have a more complete proposal within the next two meetings. Mr. Sayers asked about the design for the Police Structure. Mr. Sieloff stated that DPW Director William Decelles has asked for a more final design. Mr. Sayers stated that knew of a company that could provide metal shed materials which may be less expensive and Mr. Sieloff asked Mr. Sayers to present something to him. Mr. Sieloff asked if a member of the Board would like to volunteer to sit on the High School Building Committee as Mr. Goerlach has been having meeting conflicts. Mr. Sayers and Mr. Ericson stated they would have to think about it.

#### Approve Minutes

Motion made by Henry Sayers to approve the Minutes of November 24, 2014, seconded by Robert Ericson. Unanimously voted.

#### Adjournment

Motion to adjourn meeting made by Henry Sayers, seconded by Robert Ericson. Unanimously voted. Meeting adjourned at 7:40 p.m.

#### Footnotes:

- [#1] Green Community Designation Letter
- [#2] Dangerous Dog Hearing Documentation
- [#3] Tax Classification Documentation
- [#4] Application for Permit to Use Town Owned Property from the National Multiple Sclerosis Society
- [#5] Lanesborough Citizen Interest Form of Shannon Carison for the Lanesborough Recreation Committee
- [#6] Lanesborough Tree and Forest Committee Fall 2014 Newsletter
- [#7] Skyline Country Club Sunday Entertainment License
- [#8] Letter in Support of Solar Energy
- [#9] Lanesborough Energy Committee Bylaws
- [#10] Proposed Energy Conservation Spreadsheet from the Lanesborough Energy Committee
- [#11] Proposed Board of Selectmen Fee Schedule
- [#12] Proposed Domestic Violence Leave Policy
- [#13] Proposed Use of Town Property Policy and Fee Schedule